

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

NICOLE WOOTEN,

Plaintiff,

v.

LIMETREE BAY TERMINALS d/b/a
OCEAN POINT TERMINALS, PORT
HAMILTON REFINING &
TRANSPORTATION, WEST INDIES
PETROLEUM LTD., and LIMETREE
BAY REFINERY, LLC, as a nominal
Defendant

Defendants.

Case No. 1:23-cv-00012-WAL-EAH

OCEAN POINT'S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant, Limetree Bay Terminals, LLC d/b/a Ocean Point Terminals (hereinafter "Ocean Point"), by and through undersigned counsel, moves to dismiss the First Amended Complaint filed by Plaintiff Nicole Wooten for failure to state a claim. In support of this motion, Ocean Point is filing a separate Memorandum of Law contemporaneously herewith setting forth the reasons why its Motion to Dismiss should be granted.

DATED: April 3, 2023

Respectfully submitted,

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Terminals, LLC d/b/a Ocean Point Terminals

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2023, I filed the foregoing document was filed with the Court's electronic filing system on the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/Donnie M. King

Donnie M. King